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**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF UTAH**

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<b>IN RE:</b>	§	
	§	<b>CASE NO. 21-22634</b>
<b>Creston Anderson</b>	§	<b>Chapter 13</b>
<b>Lettie Anderson</b>	§	<b>William T Thurman</b>
<b>Debtor(s)</b>	§	

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**MOTION TO MODIFY CHAPTER 13 PLAN**

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Creston Anderson & Lettie Anderson (hereinafter "Debtors"), through counsel, hereby moves this Court for an order approving the modification of the Debtors' Chapter 13 Plan. Debtor represents the following in support thereof:

1. Debtors filed the above referenced Chapter 13 petition on 6/15/2021 ("Petition Date").
2. Debtors' current monthly payments are \$1,125.00.00.
3. Debtors' confirmed Chapter 13 Plan provided that Debtor would be subject to a status review after 6 months from confirmation. Debtor and Counsel for Debtor have reviewed the most recent pay stubs and income for Debtor. At this time Debtors seek to modify their Chapter 13 Plan to allow for a 100% return the non-priority unsecured class.
4. Additionally, Debtor seeks the Court's permission to allow Debtors to pay their student loans outside of the bankruptcy. Navient Solutions (Student Loan Creditor) has filed Claim No. 6 in the amount of \$120,310.71. In order to allow Debtors' plan to remain feasible Claim No. 6 should be paid outside of the bankruptcy plan. Allowing Debtors to

pay the student loans outside of the confirmed plan will not prejudice other creditors as Debtors are seeking to pay the unsecured class a 100% return.

5. In support of this motion to modify their monthly payments, Debtor, through counsel, will also file an amended schedule I & J.
6. After adjusting schedules I & J Debtor's adjusted monthly payments should be lowered to \$1,330.00 per month.
7. An increase of the payments to unsecured creditors to 100%, excluding Claim No. 6 filed by Navient Solutions, would enable the plan to remain feasible and is within the parameters set by the amended schedules I & J.
8. Debtor will make the February 25<sup>th</sup> payment at the increased amount.

WHEREFORE, Due to known and certain changes in Debtor's circumstances, Debtors respectfully requests an Order from the Court modifying Debtors' Chapter 13 Plan to increase their monthly payments to \$1,330.00, to allow Debtors to pay their Student Loans outside of the bankruptcy plan, and for an award of attorney fees of up to \$1,000.00.

Date: February 1, 2022

/s/ Cory B. Cottam  
Cory B. Cottam  
Attorney for Debtors